

JUN. 5. 2003 11:57AM

NO. 411 P. 2

HERB KOHL
WISCONSIN

EX PARTE OR LATE FILED

COMMITTEES

APPROPRIATIONS

JUDICIARY

SPECIAL COMMITTEE
ON AGING

WASHINGTON OFFICE
330 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-8833
T.T.Y. (202) 224-4444
http://kohl.senate.gov/
senator-kohl@kohl.senate.gov

United States Senate
WASHINGTON, DC 20510-4903
JUN 5 12 18 PM '03

ORIGINAL

RECEIVED

June 5, 2003

SEP - 2 2003

Federal Communications Commission
Office of the Secretary

Michael K. Powell
Chairman, Federal Communications Commission
445 12th Street, S.W.
Room 8-B201
Washington, D.C. 20544

Dear Chairman Powell:

I am writing regarding the proposed acquisition of Hispanic Broadcasting Corporation ("HBC") by Univision. I have serious concerns with the competitive implications of this transaction - which would combine the nation's largest Spanish language television network (Univision) with the largest Spanish language radio network (HBC).

As you know, the growing concentration and consolidation in the nation's media outlets is a large concern of my work on the Antitrust Subcommittee. I believe that it is vital that diversity of media ownership be maintained in order to assure that Americans have access to a broad range of competing news and information sources. It is the responsibility of the Federal Communications Commission to review media mergers to determine that they are in the public interest. An examination of these transactions' affect on diversity and competition is an essential part of this public interest analysis.

The merger of Univision and HBC would combine the two most significant Spanish language broadcasters in the United States. The combined Univision/HBC would reach more than 80% of the Hispanic television and radio audience. In addition to combining the leading Spanish language broadcast television and radio networks, the combined Univision/HBC would control the largest Spanish language cable television holdings; an estimated 97% of Spanish language internet portal access; and the largest Spanish language publishing, recording, and billboard companies in the United States. By some estimates, this merger would result in one company controlling 70% of Spanish language media revenue in the ten largest Hispanic markets.

This merger plainly raises serious issues with so much of the Spanish language media market under common ownership. I therefore urge you to carefully examine this transaction's likely impact on

MILWAUKEE OFFICE
310 WEST WISCONSIN AVENUE
SUITE 850
MILWAUKEE, WI 53203
(414) 237-4481
T T Y (414) 237-4485

MADISON OFFICE
14 WEST MIFFLIN STREET
SUITE 207
MADISON, WI 53703
(608) 284-5335

EAU CLAIRE OFFICE
402 GRAHAM AVENUE
SUITE 208
EAU CLAIRE, WI 54701
(715) 832-8424

APPLETON OFFICE
4321 WEST COLLEGE AVENUE
SUITE 235
APPLETON, WI 54914
(920) 738-1840

LACROSSE OFFICE
425 STATE STREET
SUITE 202
LACROSSE, WI 54601
(800) 738-0045

PRINTED ON RECYCLED PAPER

RECEIVED TIME JUN. 5. 11:45AM

PRINT TIME JUN. 5.

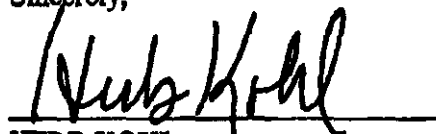
No of Copies rec'd 2
H:46AM
11:46AM

diversity of news and information sources in the Spanish language media market, and consider whether it will unduly reduce the number of independent voices and information sources available to Spanish language speakers. This inquiry should include an examination of whether sufficient alternatives exist for Spanish language speakers in the television and radio media, including whether newspapers, and other news sources such as internet sites, provide sufficient alternative news sources, and to what extent the Hispanic audience utilizes non-Spanish language media for its news and information coverage. Your review should also consider the effect of this merger on competition for advertisers, and its impact on the ability of entertainment programmers not affiliated with the combined Univision/HBC to reach Hispanic audiences.

In sum, I believe that careful scrutiny of these issues is necessary to insure that this merger is in the public interest and will not unduly damage diversity and competition in Spanish language broadcasting media, and urge you not to approve this merger should you conclude it will substantially injure diversity and competition in this market.

Thank you for your attention to this matter.

Sincerely,



HERB KOHL

Ranking Member, Subcommittee on
Antitrust, Competition Policy, and
Consumer Rights